

U.S.S.N. 10/045,412

REMARKS

Thorough examination and careful review of the application by the Examiner is noted and appreciated.

The indication by the Examiner that claims 4-7 and 12-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten into independent form to include all of the limitations of the base claim and any intervening claims, is further noted and appreciated.

Claims 1-20 are pending in the application. Claims 1-3, 8-11 and 14-20 stand rejected.

Claim Rejections Under 35 USC §103

Claims 1-3, 8-11 and 14-20 are rejected under 35 USC §103(a) as being unpatentable over Wei et al '689.

Independent claims 1 and 11 have been amended to further incorporate the limitations contained in claims 2-4 and 12, respectively. The newly amended independent claim 1 is therefore equivalent to dependent claim 4 being rewritten into independent form to include all of the limitations of base claim 1, and

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intervening claims 2 and 3. Similarly, newly amended independent claim 11 is equivalent to dependent claim 12 being rewritten into independent form to include all of the limitations of base claim 11.

The Applicants therefore respectfully submit that the newly amended independent claims 1 and 11 are now in condition for allowance. A reconsideration for allowance of claims 1 and 11, and their dependent claims 8-10 and 12-14, is respectfully requested of the Examiner.

Independent claim 15 has been rewritten to further incorporate the limitations contained in dependent claim 17. The newly amended independent claim 15 is therefore equivalent to claim 1, but presented in a method claim format.

The Applicants respectfully submit that independent claim 15, and its dependent claims 18-19, contain method steps, for instance:

"splitting said one light beam into a first
light beam and a second light beam;

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sensing a first detected light value for the first light beam reflected by the semiconductor wafer by a first light detector, and sensing a second detected light value for the second light beam reflected by the semiconductor wafer by a second light detector",

are clearly not taught or disclosed by Wei et al '689. A reconsideration for allowance of amended claim 15, and its dependent claims 18-19, is respectfully requested of the Examiner.

Based on the foregoing, the Applicants respectfully submit that all of the pending claims, i.e. claims 1, 5-15 and 18-19, are now in condition for allowance. Such favorable action by the Examiner at an early date is respectfully solicited.

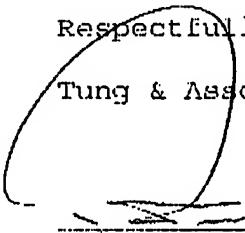
In the event that the present invention is not in a condition for allowance for any other reasons, the Examiner is respectfully invited to call the Applicants' representative at his

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Bloomfield Hills, Michigan office at (248) 540-4040 such that necessary action may be taken to place the application in a condition for allowance.

Respectfully submitted,

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